

**MINUTES OF THE
CITY OF GREENSBORO
MINIMUM HOUSING STANDARDS COMMISSION
REGULAR MEETING
MAY 12, 2015**

The regular meeting of the City of Greensboro Minimum Housing Standards Commission (MHSC) was held on Tuesday, May 12, 2015 in the Council Chambers of the Melvin Municipal Office Building, commencing at 1:31 p.m. The following members were present: Justin Outling, Chair; Robert Kollar; Tyler Quinn; Kimberly Moore-Dudley; and Horace Sturdivant. Staff present included: Elizabeth Benton, Cheryl Lilly, Barbara Harris, Mark Wayman and Inspectors Don Sheffield, Roddy Covington, Roy McDougal, Donald Foster, Rich Stovall, Jarod Larue, and Brad Tolbert. Also present was Terri Jones, Attorney for the Commission, and Mary Lynn Anderson, City Attorney's Office.

1. REQUEST OF STAFF OF ANY CHANGES TO THE AGENDA:

Elizabeth Benton, Compliance Code Coordinator, noted the following changes in the agenda:

Item 11: 1112 Lexington Avenue – Staff requested that this item be moved to the beginning of the Continued Cases.

Item 12: 500 Garrett Street – This item has been repaired and is in compliance. It has been moved from the agenda.

2. SWEARING-IN OF CITY STAFF TO TESTIFY:

City staff was sworn as to their testimony in the following matters.

3. SWEARING-IN OF OWNERS, CITIZENS AND ALL OTHERS TO TESTIFY:

Property owners and citizens were sworn as to their testimony in the following matters.

4. APPROVAL OF MINUTES FROM APRIL 14, 2015 MEETING:

Ms. Moore-Dudley moved approval of the April 14, 2015 meeting minutes as written, seconded by Mr. Sturdivant. The Commission voted 5-0 in favor of the motion. (Ayes: Outling, Moore-Dudley, Quinn, Kollar, Sturdivant. Nays: None.)

CONTINUED CASES:

- 5. 1112 Lexington Avenue** (Parcel #0005791) Gilfred Fray, Owner. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Roy McDougal. Continued from April 14, 2015 meeting.
(CONTINUED UNTIL AUGUST 11, 2015 MEETING)

Guilford Lee Fray, 1112 Lexington Avenue, informed the Commission that he is in process of applying for a grant. He asked for a continuance of three months as he needs to supply several financial reports for the grant process.

Jennifer Freeman, 300 West Washington Street, is a Housing Rehabilitation Administrator with the City. She confirmed that Mr. Fray has applied to the program and they are waiting on final documentation for the application to be completed. She felt that 90 days was an appropriate request considering what is entailed in the application process.

Mr. Quinn moved to continue this case until the August 11, 2015 meeting, seconded by Ms. Moore-Dudley. The Commission voted 5-0 in favor of the motion. (Ayes: Outling, Moore-Dudley, Quinn, Kollar, Sturdivant. Nays: None.)

- 6. 3102 Summit Avenue – Units I, N (Parcel #003254)** Basil and Sophia Agapion, Owners. In the Matter of Order to Repair, Alter or Improve Structures. Inspector Roy McDougal. Continued from the June 1, 2013; August 13, 2013; November 12, 2013; January 14, 2014; August 12, 2014; October 14, 2014; December 9, 2014; February 10, 2015; and April 14, 2015 meetings.
(CONTINUED UNTIL JUNE 9, 2015 MEETING)

Inspector LaRue stated that one additional unit is still in need of repair. They are waiting for additional inspections in two other units in the building to turn on the heat to confirm it is in working order. He felt it would take a maximum of 60 days to complete the remaining work.

Irene Agapion, 625 North Elm Street, arrived late to the meeting. She was sworn as to her testimony in these matters.

Ms. Agapion updated members on progress. All violations have been repaired in Unit N. She explained circumstances relating to the Piedmont Natural Gas lines being retired that lead to the delay in completion of the heating. They are waiting for the inspection to confirm heating is operational. Unit I is the last remaining unit and was in the worst condition of all the units. It is 50% to 60% complete. She described a plan for the remaining work and said they hope to get a final inspection on Unit I next week if everything goes as anticipated. She asked for a continuance of 30 days to get the utilities turned on so that all units can pass.

Mr. Kollar moved to continue this case until the June 9, 2015 meeting, seconded by Mr. Quinn. The Commission voted 5-0 in favor of the motion. (Ayes: Outling, Moore-Dudley, Quinn, Kollar, Sturdivant. Nays: None.)

- 7. 2316 Kersey Street – Units A, B, C, D, E, F, G, H, J (Parcel # 0029617)** Basil and Sophia Agapion, Owners. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Roddy Covington. Continued from the December 9, 2014 and March 10, 2015 meetings.
(CONTINUED UNTIL JULY 14, 2015 MEETING)

Irene Agapion, 625 North Elm Street, informed members that progress has been made on the exterior and all of these issues have been corrected and passed inspection last week. They are now proceeding with the interior of the units. Units A, B, and C are currently in progress. Unit A is approximately 75% percent complete, Unit B is 90% complete and Unit C should be completed later in the month. She expects Unit A and Unit B to be final later in the week. The other six units can be completed in six weeks per the contractor and she asked for a continuance until the July meeting.

Brian Kilpatrick, 2310 Kersey Street, confirmed that although work is being done on the property, the doors need to be secured. He expressed concern that the property will fall back into decline once the work has been completed. He noted insect and rodent infestation at the property.

Lila Wayne, 2309 Kersey Street, expressed concern with tall grass at the property. She said that snakes had been seen in the tall grass. She noted that work is being done at the property. Ms. Wayne would like to see the property fully renovated with central air so that it could thrive in the neighborhood as it did thirty years ago.

Responding to questions, Ms. Agapion stated that new doors have been installed and the units are now secure. A crew has been contracted to cut the grass every ten days.

Brett Byerly, 122 North Elm Street, is with Greensboro Housing Association. Although thrilled with the progress, he pointed out to the Commission that work seemed to ramp up right before the Commission meeting. He wanted to make sure that neighborhood engagement continued to occur and also that the momentum continues to move forward.

Speaking in rebuttal, Ms. Agapion stated that she has no intention to let up on work being done on this property. Her intent is for good and thorough work.

Mr. Quinn moved to continue this case until the July 14, 2015 meeting, seconded by Mr. Kollar. The Commission voted 5-0 in favor of the motion. (Ayes: Outling, Moore-Dudley, Quinn, Kollar, Sturdivant. Nays: None.)

8. 1907 Mayfair Avenue (Parcel #0033531) George, Constantina and Sophia Palamaris. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Jarod LaRue. Continued from January 13, 2015 and March 10, 2015 meetings. **(INSPECTOR UPHELD)**

Irene Agapion, 625 North Elm Street, indicated that she is the ex-wife of the property owner and is not representing him in the business sense. The owner is a licensed general contractor and Ms. Agapion is not managing or repairing the property. She reviewed the history of the property and read a list of completed repairs provided by the owner. New vinyl siding and windows have been installed. The new siding is on the rear and sides. A new door unit needs to be installed due to a rotting band at the front and rear. Rotten sheathing was replaced and stumps on the property were ground. The front yard has been seeded and piles of debris were removed in the back of the property. He anticipates completion of repairs by the end of July, 2015.

Inspector Sheffield said that a Stop Work Order was issued on January 22, 2015. The owner needs to secure new permits for the work he is doing. The only active permit is to repair tree damage. The owner has already gutted the house and needs permits to make repairs to the property.

Ms. Moore-Dudley observed that a lot of work needs to be done by the projected July timeline. Ms. Agapion commented that the owner is a contractor and can perform the work quickly due the resources available to him. She will advise him of the need for permits.

Inspector LaRue said that the structure itself was approximately 50% complete and most of the improvements made since the last meeting deal with the grounds of the property. With adequate manpower, he felt the work could be done by the July target date.

Mr. Sturdivant asked Ms. Agapion if her testimony was the same as it was at the January, 2015 meeting. She said that it was not noting that the owner has worked on the grading problem and yard violations. The exterior is now visually appealing. Structurally, he has repaired the vinyl siding. The property has been sitting vacant for years and there was a tree sitting on the house when it was purchased. The owner has a tenant lined up to live in the property.

Chair Outling commented that little work had been done since the January, 2015 meeting per the testimony of the Inspector and the video. In addition, the neighborhood has an interest in healthy housing sooner rather than later. He noted that the work done in January seemed to occur immediately before the hearing. He reiterated there has been little to no progress since the January meeting.

Due to the history of the property and the indication that the property owner could probably have this completed by July, 2015, Mr. Sturdivant moved to uphold the Inspector, seconded by Mr. Quinn. The Commission voted 5-0 in favor of the motion. (Ayes: Outling, Moore-Dudley, Quinn, Kollar, Sturdivant. Nays: None.)

Chair Outling stated that the property involved in this matter is located at **1907 Mayfair Avenue** in Greensboro, North Carolina. The property owner and all parties in interest in said property have been properly served with all Complaints, Notices and Orders issued in this matter in compliance with the law. The property owner and all parties in interest were afforded their due process rights in compliance with the law. The property in question has more than five separate types of violations of any of the Minimum Housing Code Standards. The continuation of this dwelling in its current condition is detrimental to the health, safety, morals and welfare to the people within the City of Greensboro and is unfit for human habitation. Based on the foregoing findings of fact, it is hereby concluded that this matter is properly before

this Commission; the described structure is dangerous and unfit for human habitation; and the Inspector is proper in all respects.

Therefore it is **Ordered, Resolved** and **Decreed** by vote of the Commission that the Inspector is upheld.

9. **512 Doak Street** (Parcel #0003511) James and Angela Griffin, Owners. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Roy McDougal. Continued from February 10, 2015 and April 14, 2015 meetings. **(INSPECTOR UPHELD)**

James Griffin, 1306 Bilbro Street, informed the Commission of his plan to demolish the property.

Ms. Moore-Dudley moved to uphold the Inspector, seconded by Mr. Sturdivant. The Commission voted 5-0 in favor of the motion. (Ayes: Outling, Moore-Dudley, Quinn, Kollar, Sturdivant. Nays: None.)

Chair Outling stated that the property involved in this matter is located at **512 Doak Street** in Greensboro, North Carolina. The property owner and all parties in interest in said property have been properly served with all Complaints, Notices and Orders issued in this matter in compliance with the law. The property owner and all parties in interest were afforded their due process rights in compliance with the law. The property in question has more than five separate types of violations of any of the Minimum Housing Code Standards. The continuation of this dwelling in its current condition is detrimental to the health, safety, morals and welfare to the people within the City of Greensboro and is unfit for human habitation. Based on the foregoing findings of fact, it is hereby concluded that this matter is properly before this Commission; the described structure is dangerous and unfit for human habitation; and the Inspector is proper in all respects.

Therefore it is **Ordered, Resolved** and **Decreed** by vote of the Commission that the Inspector is upheld.

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Councilwoman Sharon Hightower, 6 Bells Court, asked to speak to the Commission. She was sworn as to her testimony in the following matter. She thanked the Commission for their service to the City. She pointed out that this procedure is not a meeting; rather, it is a hearing of items that are a detriment to the community. She talks to citizens in these communities every day and noted that they are disillusioned by the dilapidated, boarded-up houses that continue to look that way until two days before the MHSC hearing. She stated that this situation needs to stop if the community is to be improved. Safe, affordable housing and responsible landlords are lacking and this Commission has a responsibility to convey the message that this is no longer going to be accepted in the community. She stated her plans as a Councilperson and resident of the City to expect people to be responsible.

Mr. Kollar asked for further clarity on Councilwoman Hightower's comments about responsibility. She said that there are landlords who are not being responsible in this community. She does, however, respect and understand that the Commission has to work within the parameters set out for them. Unfortunately, people know how to play the system and often only perform the bare minimum amount of work. As a consequence, people in the community are hurt and that is irresponsible. She pointed out that when owners board up their properties or begin working on the property a week before the Commission hearing, it is a slap in face to the community and counterproductive to changing the face of these communities.

Ms. Moore-Dudley indicated that she is realtor and is familiar with properties in these communities. She agreed that if you drive by the properties two weeks prior to the meeting and if you drive back the day before, often times the property looks completely different because there has been a last minute flurry of activity. She felt that if Commissioners could drive by the properties more often, they would recognize the problems and better understand the complaints voiced by neighbors in the community.

Chair Outling offered a word of caution to Commissioners. The MHSC is a quasi-judicial body and evidence considered by the Commission needs to be a part of the proceeding. He acknowledged Ms. Moore-Dudley's

disclosure that she drove by the properties and urged members to exercise caution. He felt that last minute flurries of activity on properties was concerning on a certain level; however, his concern is that substantial progress be made on a property in a timely manner. He would like to see as much progress being made on a property as quickly as possible.

Mr. Sturdivant commented that the Commission must also consider activity by the Inspections Department. They have rules and guidelines that can only go so far. Sometimes just boarding up the property or mowing the grass will meet their requirements. He acknowledged Councilwoman Hightower's concerns and those of her constituents but felt that even though the Inspectors would like the work to be done to clear their files; they can only go so far according to their guidelines and the Housing Code.

Councilwoman Hightower stated that safe, affordable housing is an economic driver. There must be good housing for jobs and industry to come into a city. Therefore, housing holistically affects the City and the MHSC is crucial in helping to convey that message. People should have the opportunity to fix their property and do it correctly; however, she reiterated that it was disconcerting that properties were often fixed up at the last minute.

Mr. Kollar thanked Councilwoman Hightower for her candor and comments and said that the Commission was open to any suggestions or thoughts because everyone is in this together for growth in the same positive direction.

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10. 3721 Martin Avenue (Parcel #0046813) William and Carole Mathis and Estate Of Treva Dodd, Owners. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Rich Stovall. Continued from March 10, 2015 and April 14, 2015 meetings. **(INSPECTOR UPHELD)**

There was no one present to speak on this property.

Compliance Coordinator Benton stated that she spoke with the owner earlier in the day. The owner indicated that there have been no changes in his ability to get the deed to the property changed. An attorney is working on the matter; however, there has been no change. There are minor heirs and an attorney has been hired locally in addition to his attorney in Virginia.

Chair Outling expressed concern that the property is in poor condition on an indefinite basis with no sign or assurance that it will get better.

Chair Outling asked Compliance Coordinator Benton if the video that was shown was a fair and accurate representation of the property; if all parties in interest were properly served with all notices, complaints and orders issued in this matter; the last time the property was visited was May 11, 2015; the property is not a duplex or multiunit apartment; there are more than five separate types of violations of any of the minimum housing standard codes. Compliance Coordinator Benton stated that she agreed with these questions.

Compliance Coordinator Benton stated that the list of violations include exterior wood surfaces need to be maintained by painting or other protective coating; power not on at time of initial inspection; exterior: all mechanical appliances shall be properly installed and maintained in a safe working condition and capable of performing intended function; exterior doors difficult to operate; dwelling needs 3 wire, 120/240 Volt 60 Amp service; cracked or missing switchplate cover; cracked or missing electrical outlet cover; missing smoke detectors; utilities for heat—gas/electric not on at time of inspection; heating system not capable of maintaining 68 degrees in habitable rooms, bathrooms; plumbing facilities need to be maintained in a safe, sanitary and functional condition; water not on at time of inspection; unclean and unsanitary floors, ceilings and/or walls; bedrooms must have door with interior lock; ceiling contains holes, loose material and/or in disrepair; roof leaks; windows need glazing; accessory structure shall be maintained structurally sound and in good repair.

Responding to a question from Ms. Moore-Dudley, Inspector Stovall indicated that since last month two closets have been sheet rocked and patched. He noted ladders on the video that were not there last month when he was at the property. He has not been contacted by the owner and gained entrance to the property through an Administrative Warrant.

Mr. Kollar moved to uphold the Inspector, seconded by Mr. Sturdivant. The Commission voted 4-1 in favor of the motion. (Ayes: Outling, Quinn, Kollar, Sturdivant. Nays: Moore-Dudley.)

Chair Outling stated that the property involved in this matter is located at **3721 Martin Avenue** in Greensboro, North Carolina. The property owner and all parties in interest in said property have been properly served with all Complaints, Notices and Orders issued in this matter in compliance with the law. The property owner and all parties in interest were afforded their due process rights in compliance with the law. The property in question has more than five separate types of violations of any of the Minimum Housing Code Standards. The continuation of this dwelling in its current condition is detrimental to the health, safety, morals and welfare to the people within the City of Greensboro and is unfit for human habitation. Based on the foregoing findings of fact, it is hereby concluded that this matter is properly before this Commission; the described structure is dangerous and unfit for human habitation; and the Inspector is proper in all respects.

Therefore it is **Ordered, Resolved** and **Decreed** by vote of the Commission that the Inspector is upheld.

11. **4433 Anderson Street** (Parcel #0056432) Ronald Miller, Owner. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Rich Stovall. Continued from September 9, 2014; November 13, 2014; January 13, 2015; February 10, 2015; and April 14, 2015 meetings.
(CONTINUED UNTIL JULY 14, 2015 MEETING)

Ronald Miller, 4435 Anderson Street, updated members on progress that has been made on this property. The roof, siding, and footing have been completed and the inspections passed for these items.

Inspector Stovall stated that staff met with Mr. Miller in February, 2015 to create a plan and timeline toward the complete repair of this property. He confirmed comments made by Mr. Miller and felt that the owner was well within the timeline. There are only minor exterior repairs to be made. The plan for the interior of the house should be underway in about two weeks. There are many repairs to be made on the interior because it was gutted. He estimated that approximately 35 to 40 percent of the violations have been completed. Ms. Moore-Dudley noted that it was staff's recommendation in the Staff Report that the owner should return every 60 days for an update. Staff felt the property could be completed in six to eight months.

Ms. Moore-Dudley moved to continue the matter until the July 14, 2015 meeting, seconded by Mr. Sturdivant. The Commission voted 5-0 in favor of the motion. (Ayes: Outling, Moore-Dudley, Quinn, Kollar, Sturdivant. Nays: None.)

12. **500 Garrett Street** (Parcel #0026091) James Fleet, James Brook and Carl Carlson-Irrevocable Spendthrift Trust, Owners. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Roy McDougal. Continued from the March 10, 2015 meeting. **(REMOVED DUE TO COMPLIANCE)**
13. **1022 Portland Avenue** (Parcel #0008898) Karen and John Veal, Owner. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Roy McDougal. Continued from November 13, 2014 and February 10, 2015 meetings. **(CONTINUED UNTIL JUNE 9, 2015 MEETING)**

There was no one present to speak on this property.

Compliance Coordinator Benton indicated that an email was received from the owner who lives out-of-state and was unable to attend the meeting. Members are in receipt of the email.

Inspector McDougal stated that there have been no changes in the violations since the last meeting.

Chair Outling commented that the email contains a list of four items that the owner contends were repaired. He asked the Inspector to comment on the items. Inspector McDougal said that the video being shown to Commission is equal to the video shown at the last meeting. He last visited the property on May 11, 2015.

Chair Outling stated that the Inspector's comments were consistent with the notes on this property and little to no progress has been made since the last meeting. The property owner indicated at the last meeting that the work should be 90 percent complete by the end of June, 2015.

Chair Outling moved to uphold the Inspector. There was no second and the motion failed.

Ms. Moore-Dudley moved to continue the case until the June 9, 2015 meeting, seconded by Mr. Quinn. The Commission voted 4-1 in favor of the motion. (Ayes: Quinn, Moore-Dudley, Kollar, Sturdivant. Nays: Outling)

14. 503 Craig Street (Parcel #0008308) Heirs of John McDonald, Owners. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Roy McDougal.
(CONTINUED UNTIL JULY 14, 2015 MEETING)

Compliance Coordinator Benton stated that this property was initially inspected on February 27, 2012. The hearing was held on July 12, 2013. An Order to Repair was issued on July 17, 2013 and expired on August 16, 2013. The property did not have to be secured. There are children living in the area where the property is located and there is an elementary school nearby.

Chair Outling asked Compliance Coordinator Benton if the video that was shown was a fair and accurate representation of the property; if all parties in interest were properly served with all notices, complaints and orders issued in this matter; the last time the property was visited was May 11, 2015; the property is not a duplex or multiunit apartment; there are more than five separate types of violations of any of the minimum housing standard codes. Compliance Coordinator Benton stated that she agreed with these questions.

Compliance Coordinator Benton stated that the list of violations include power not on at time of initial inspection; missing smoke detectors; utilities for heat- gas or electric, were not on at time of inspection; plumbing facilities need to be maintained in a safe, sanitary, and functional condition; water was not on at time of initial inspection; unclean/unsanitary floors, ceilings and/or walls; rotten flooring must be repaired; rotten and loose floor covering must be repaired or replaced; ceilings contain holes, loose material, and/or in disrepair; exterior doors need to be weathertight; windows do not open and close as manufactured; windows need glazing; exterior wood surfaces need to be maintained with paint or other coating; exterior walls have loose or rotted material; property needs to be graded to prevent accumulation of standing water; gutters and downspouts in disrepair.

Janelle Simmerel, 503 Craig Street, is the widow of Thomas McDonald, who was one of the heirs of the property. She has only recently become aware of this property and this is the first time she has seen this property in 15 years.

Chair Outling noted that at the November, 2014 meeting, Ms. Ramona Whiteside indicated her plans to bring the property into compliance. Ms. Simmerel was not aware of other actions to bring this property into compliance and stated that this is a sensitive family matter. This is a family home.

Ms. Moore-Dudley commented that Ms. Whiteside was not aware at the last meeting of the situation and that Ms. Simmerel would take the responsibility of repairing the home.

Jennifer Freeman, 300 West Washington Street, is a Housing Rehabilitation Administrator with the City. She said that it was assumed at the November, 2014 meeting that the brothers and sisters were heirs to the property and they were accordingly informed they needed to close the estate. During the process of closing the estate, it was revealed that the brother who had actually inherited the property had passed away and was married to Ms. Simmerel at that time. Therefore, the property belongs to Ms. Simmerel, not the siblings.

Ms. Freeman is working with Ms. Simmerel on the rehabilitation loan application process at this time. It should take 60 days to get through the initial stage of the application.

Mr. Quinn moved to continue the case until the July 14, 2015 meeting, seconded by Ms. Moore-Dudley. The Commission voted 5-0 in favor of the motion. (Ayes: Outling, Quinn, Kollar, Moore-Dudley, Sturdivant. Nays: None.)

NEW CASES:

15. 128 Rocky Knoll Circle (Parcel #0055166) Linda Burroughs, Owner. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Brad Tolbert. **(INSPECTOR UPHELD)**

Compliance Coordinator Benton stated that this property was initially inspected on June 20, 2011. The hearings were held on January 10, 2014 and December 1, 2014. Orders to Repair were issued on February 27, 2014 and February 10, 2015. The Orders expired on March 15, 2015. The property did not have to be secured. There are no children living in the area where the property is located and there are no schools nearby.

Chair Outling asked Compliance Coordinator Benton if the video that was shown was a fair and accurate representation of the property; if all parties in interest were properly served with all notices, complaints and orders issued in this matter; the last time the property was visited was May 11, 2015; the property is not a duplex or multiunit apartment; there are more than five separate types of violations of any of the minimum housing standard codes. Compliance Coordinator Benton stated that she agreed with these questions.

Compliance Coordinator Benton stated that the list of violations include exterior doors difficult to operate; handrails required on one side of stair having more than four risers; missing smoke detectors; unclean and unsanitary floors, ceilings and/or walls; walls have structural member unable to support imposed load; walls have peeling, chipping or flaking paint that must be repaired, removed or covered; walls have cracks, holes or loose plaster, decayed wood or other defective material that must be corrected; rotten flooring must be repaired; loose floor covering must be repaired or replaced; exterior doors need to be weathertight; every window shall open and close as manufactured; windows need to be weathertight; steps are rotten or in disrepair; deck, porch and/or patio flooring rotten or in disrepair; ceiling contains holes, rotten and/or in disrepair.

There was no one present to speak on the property. The owner did not inform the City as to his or her inability to attend this meeting. It was noted that the property has been out of compliance for five years.

Mr. Kollar moved to uphold the Inspector, seconded by Ms. Moore-Dudley. The Commission voted 5-0 in favor of the motion. (Ayes: Outling, Quinn, Kollar, Moore-Dudley, Sturdivant. Nays: None.)

Chair Outling stated that the property involved in this matter is located **128 Rocky Knoll Circle** in Greensboro, North Carolina. The property owner and all parties in interest in said property have been properly served with all Complaints, Notices and Orders issued in this matter in compliance with the law. The property owner and all parties in interest were afforded their due process rights in compliance with the law. The property in question has more than five separate types of violations of any of the Minimum Housing Code Standards. The continuation of this dwelling in its current condition is detrimental to the health, safety, morals and welfare to the people within the City of Greensboro and is unfit for human habitation. Based on the foregoing findings of fact, it is hereby concluded that this matter is properly before this Commission; the described structure is dangerous and unfit for human habitation; and the Inspector is proper in all respects.

Therefore it is **Ordered, Resolved** and **Decreed** by vote of the Commission that the Inspector is upheld.

16. 1880 Mayfair Street (Parcel #0033623) Bobby T. Harris, Owner. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Roy McDougal. **(INSPECTOR UPHELD)**

Compliance Coordinator Benton stated that this property was initially inspected on August 12, 2014. The hearing was held on March 3, 2015. An Order to Repair was issued on the same date and expired on April 2, 2015. The property did have to be secured and the City secured it. There are children living in the area where the property is located and there is an elementary school nearby.

Chair Outling asked Compliance Coordinator Benton if the video that was shown was a fair and accurate representation of the property; if all parties in interest were properly served with all notices, complaints and orders issued in this matter; the last time the property was visited was May 6, 2015; the property is not a duplex or multiunit apartment; there are more than five separate types of violations of any of the minimum housing standard codes. Compliance Coordinator Benton stated that she agreed with these questions.

Compliance Coordinator Benton stated that the list of violations include duct system must be capable of performing required function; bedrooms must have a door and interior lock set; loose floor covering must be repaired or replaced; all systems, devices and equipment to detect a fire, actuate an alarm for fire suppression must be functional; electrical equipment needs to be properly installed and maintained; all appliances must be capable of performing the intended function; locks not maintained or missing from windows; doors difficult to operate; carbon monoxide detector required; all appliances shall be capable of performing the intended function; electrical equipment needs to be properly installed and maintained; water heater not properly installed or maintained; plumbing fixtures leak; bathroom must have a door and interior lock; missing smoke detectors; bathroom requires ventilation system when window isn't provided; exterior doors need to be weathertight; loose floor covering must be repaired or replaced; walls have cracked or loose plaster, decayed wood or other defective material that must be corrected.

There was no one present to speak on this property.

Inspector LaRue informed members that the owner is in an assisted living facility. His niece lives in South Carolina had taken over care of the property. The owner's niece indicated that she did not have plans to make repairs and the property has now gone back to the bank. Inspector LaRue has not heard anything from the bank or anyone associated with the property but assumes the property is in the foreclosure process.

Compliance Coordinator Benton explained that banks do not usually notify the City that they are in process of foreclosure. The City notified all parties of interest including the bank and therefore, they are aware of the Minimum Housing Standards process.

Ms. Moore Dudley moved to uphold the Inspector, seconded by Mr. Sturdivant. The Commission voted 5-0 in favor of the motion. (Ayes: Outling, Quinn, Kollar, Moore-Dudley, Sturdivant. Nays: None.)

Chair Outling stated that the property involved in this matter is located **1880 Mayfair Street** in Greensboro, North Carolina. The property owner and all parties in interest in said property have been properly served with all Complaints, Notices and Orders issued in this matter in compliance with the law. The property owner and all parties in interest were afforded their due process rights in compliance with the law. The property in question has more than five separate types of violations of any of the Minimum Housing Code Standards. The continuation of this dwelling in its current condition is detrimental to the health, safety, morals and welfare to the people within the City of Greensboro and is unfit for human habitation. Based on the foregoing findings of fact, it is hereby concluded that this matter is properly before this Commission; the described structure is dangerous and unfit for human habitation; and the Inspector is proper in all respects.

Therefore it is **Ordered, Resolved** and **Decreed** by vote of the Commission that the Inspector is upheld.

17. 1406 West Florida Street (Parcel #0008694) Mark and Renee Whitley, Owners. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Roy McDougal. **(INSPECTOR UPHELD)**

Compliance Coordinator Benton stated that this property was initially inspected on July 24, 2014. The hearing was held on January 20, 2015. An Order to Repair was issued on February 2, 2015 and expired on

March 4, 2015. The property did not have to be secured. There are children living in the area where the property is located and there is an elementary school nearby.

Chair Outling asked Compliance Coordinator Benton if the video that was shown was a fair and accurate representation of the property; if all parties in interest were properly served with all notices, complaints and orders issued in this matter; the last time the property was visited was May 6, 2015; the property is not a duplex or multiunit apartment; there are more than five separate types of violations of any of the minimum housing standard codes. Compliance Coordinator Benton stated that she agreed with these questions.

Compliance Coordinator Benton stated that the list of violations include cracked or missing electrical outlet covers; power not on at time of inspection; doors difficult to operate; missing smoke detector; carbon monoxide detector required; utilities for heat, gas or electric, were not on at time of inspection; plumbing facilities must be maintained in a safe, sanitary and functional condition; water not on at time of inspection; water heater not properly installed or maintained; water heater relief valve improperly installed and/or maintained; duct system must be capable of performing required function; unclean and unsanitary floors, ceilings and or walls; ceiling contains holes, loose-material and/or in disrepair; windows need glazing; exterior walls contain holes and/or breaks; foundation wall has holes or cracks; gutters and downspouts in disrepair; electrical equipment needs to be properly installed and maintained; deck, porch, and/or patio flooring rotten or in disrepair.

There was no one present to speak on this property. Staff has not heard from the owner regarding his or her inability to attend this meeting.

Mr. Kollar moved to uphold the Inspector, seconded by Mr. Sturdivant. The Commission voted 5-0 in favor of the motion. (Ayes: Outling, Quinn, Kollar, Moore-Dudley, Sturdivant. Nays: None.)

Chair Outling stated that the property involved in this matter is located **1406 West Florida Street** in Greensboro, North Carolina. The property owner and all parties in interest in said property have been properly served with all Complaints, Notices and Orders issued in this matter in compliance with the law. The property owner and all parties in interest were afforded their due process rights in compliance with the law. The property in question has more than five separate types of violations of any of the Minimum Housing Code Standards. The continuation of this dwelling in its current condition is detrimental to the health, safety, morals and welfare to the people within the City of Greensboro and is unfit for human habitation. Based on the foregoing findings of fact, it is hereby concluded that this matter is properly before this Commission; the described structure is dangerous and unfit for human habitation; and the Inspector is proper in all respects.

Therefore it is **Ordered, Resolved** and **Decreed** by vote of the Commission that the Inspector is upheld.

18. 806 West Terrell Street (Parcel #0008375) Alvero E. Duran, Owner. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Roy McDougal.
(CONTINUED UNTIL JULY 14, 2015 MEETING)

Compliance Coordinator Benton stated that this property was initially inspected on August 22, 2014. The hearing was held on January 20, 2015. An Order to Repair was issued on January 23, 2015 and expired on February 23, 2015. The property did not have to be secured. There are children living in the area where the property is located and there is an elementary school nearby.

Chair Outling asked Compliance Coordinator Benton if the video that was shown was a fair and accurate representation of the property; if all parties in interest were properly served with all notices, complaints and orders issued in this matter; the last time the property was visited was May 4, 2015; the property is not a duplex or multiunit apartment; there are more than five separate types of violations of any of the minimum housing standard codes. Compliance Coordinator Benton stated that she agreed with these questions. Compliance Coordinator Benton stated that the list of violations include carbon monoxide detector required; plumbing facilities must be maintained in a safe, sanitary and functional condition; plumbing fixtures leak;

loose floor covering must be repaired or replaced; walls have peeling, chipping or flaking paint that must be repaired, removed or covered; exterior doors are difficult to operate; bathroom must have a door and interior lock; bedroom must have a door and interior lock set; ceiling contains holes, rotten and in disrepair; interior doors difficult to operate; exterior wood surface needs to be maintained by painting or other protective coating; exterior walls have loose or rotted material; gutters and downspouts in disrepair; guardrails are loose, damaged, or improperly maintained; all accessory structures, including detached garages, fences and walls shall be maintained structurally sound and in good repair.

Raina Duran, 806 West Terrell, was present on behalf of her son, the owner.

Rose Alonzo served as interpreter in this matter on behalf of the City of Greensboro. She indicated that the owner of the house is the son of Raina Duran. Members are in receipt of a letter written by the owner regarding the property.

Chair Outling read the owner's letter out loud for the benefit of Commissioners.

The owner indicated that he is in process of making repairs to the property. Major repairs that have started include roof replacement and interior dry wall installation. Water damage has been repaired. He plans to have the property in compliance by June 30, 2015. He requested a continuance to allow the work to be completed.

Inspector Sheffield stated that permits for the roof replacement and sheetrock repair have been secured.

Ms. Moore-Dudley moved to continue the case until the July 14, 2015 meeting, seconded by Mr. Quinn. The Commission voted 5-0 in favor of the motion. (Ayes: Outling, Moore-Dudley, Quinn, Kollar, Sturdivant. Nays: None.)

19. 6006 Firewood Trail (Parcel #0076904) *Chapter 17 Case –Abandoned Structure* – John Robert Puckett, Owner. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Don Sheffield. (CONTINUED UNTIL JULY 14, 2015 MEETING)

Compliance Coordinator Benton stated that this case is being brought as part of a blight on the neighborhood under General Statute 160A-426 by the building Inspector. An initial hearing was held January 23, 2013. An Order to Repair was issued on January 26, 2013. The Order expired March 27, 2013.

Chair Outling asked Compliance Coordinator Benton if the video that was shown was a fair and accurate representation of the property; if all parties in interest were properly served with all notices, complaints and orders issued in this matter; and the last time the property was visited was May 11, 2015. Compliance Coordinator Benton stated that she agreed with these questions.

Compliance Coordinator Benton explained criteria for this case. This structure is an incomplete modular home that was deemed unsafe by the building Inspector. It falls under the rules for abandoned buildings under North Carolina General Statute 160A-429 and the City of Greensboro ordinances under the Nuisance Section 17-26 and 17-29. Current conditions meet one of more of the following requirements: (1) It constitutes a fire hazard; (2) It is dangerous to life, health, or other property; and (3) It is likely to cause or contribute to blight, disease, vagrancy, or be a danger to children or has a tendency to attract persons intent on criminal activity or other activities that would constitute a public nuisance.

John Puckett, 6010 Firewood Trail, explained that he is planning on moving the home. Axles have already been placed under the home and he has applied for a permit with the State to move the structure. He stated that he was not informed about this meeting and received nothing in the mail. The property was purchased in August, 2014. City staff addressed comments made by Mr. Puckett regarding proper notification.

Compliance Coordinator Benton indicated that staff has not received the green card back from the Postal Service. However, a Certificate of Service was mailed to Mr. Puckett at a Summit Avenue address as indicated by the title search. Staff sends notification based on the title search address.

Mr. Puckett stated that he lives next door to the subject property at 6010 Firewood. Staff noted that the address of record for Guilford County GIS Register of Deeds upon purchase of the property was the Summit Avenue address.

Mr. Puckett stated that he has contracted with a provider to move the property. Several weeks ago the module was broken apart and axles were placed underneath. He has applied for a permit with the State to move the property.

Inspector Sheffield stated that this was a modular structure moved onto the property. There is a permit for the set-up of the structure. He explained that the permit had to be inactive for a year per State law before it could be expired. During that year, the property was sold and the title search had to be done again.

Mr. Puckett's intention is to have the structure moved outside of Greensboro.

Responding to a question from Ms. Moore-Dudley, Compliance Coordinator Benton explained that the Commission is being asked to uphold the Inspector's Order to demolish the structure. The owner has to satisfy all conditions, disassemble the structure and haul it away.

Mr. Puckett expects the structure can be moved within a month's time. It normally takes two weeks to secure a permit from the State.

Ms. Moore-Dudley moved to continue the case until the July 14, 2015 meeting, seconded by Mr. Quinn. The Commission voted 5-0 in favor of the motion. (Ayes: Outling, Moore-Dudley, Quinn, Kollar, Sturdivant. Nays: None.)

RESCINDED CASES:

- 20. 4107 Walker Avenue** (Parcel #0025290) Jessica Van Hecke, Owner. **Service Issue –to be rescheduled (RESCINDED)**

Ms. Moore-Dudley moved to rescind 4107 Walker Avenue, seconded by Mr. Kollar. The Commission voted 5-0 in favor of the motion. (Ayes: Outling, Moore-Dudley, Kollar, Quinn, Sturdivant. Nays: None.)

- 21. 311 Leftwich** (Parcel #0002276) Benjamin and Lynne Berryhill, Owner – **Repaired by Owner. (RESCINDED)**

- 22. 2201 Linda Lane** (Parcel #0026573) Shadow Group LLC, Owner – **Repaired by Owner. (RESCINDED)**

- 23. 1 Greenbrook Court** (Parcel #0028914) Kurt Hafner, Owner – **Repaired by Owner. (RESCINDED)**

- 24. 1615 Lucas Street** (Parcel # 0046021) Eric Nelson, Owner – **Repaired by Owner. (RESCINDED)**

- 25. 902 Fir Place** (Parcel# 0033223) Abbington Heights LLC, Owner – **Demolished by Owner. (RESCINDED)**

- 26. 908 Fir Place** (Parcel #0033224) Abbington Heights LLC, Owner – **Demolished by Owner. (RESCINDED)**

Mr. Kollar moved to rescind 311 Leftwich Street, 2201 Linda Lane, 1 Greenbrook Court, 1615 Lucas Street, 902 Fir Place and 908 Fir Place; seconded by Mr. Quinn. The Commission voted 5-0 in favor of the motion. (Ayes: Outling, Moore-Dudley, Kollar, Quinn, Sturdivant. Nays: None.)

ADJOURNMENT:

There being no further business before the Group, the meeting adjourned at 3:40 p.m.

Respectfully submitted,

Justin Outling
Chairman, City of Greensboro Minimum Housing Standards Commission

JO: sm/jd